



THAILAND

# UPDATED ASSESSMENT OF R2P IMPLEMENTATION 2022



Asia-Pacific Centre for the  
Responsibility to Protect

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The following Updated Assessment Annex provides an overview of Thailand's efforts in implementing R2P as of 2022. For a full description of the methodology used in this study, see Part II of 'Implementing the Responsibility to Protect in the Asia Pacific: An Assessment of Progress and Challenges', available [here](#). For more information on R2P implementation in the Asia Pacific in 2022, see the updated assessment [here](#).

# THAILAND

Thailand has seen a worsening performance of R2P, despite maintaining effective international and regional engagement with the norm.

It continues to engage with the UPR process and support UN General Assembly resolutions that reference R2P. Its record of peacekeeping deployments remains exceptional, with a strong emphasis on the protection of vulnerable groups and adherence to international law, as well as the Women, Peace and Security agenda.

It remains a strong proponent of UN Security Council reform in the face of crises such as violence in Myanmar and the war in Ukraine. Yet it has deferred to mutual consensus in action over Myanmar, showing no concrete actions to prevent atrocities.

However, it is domestically where the country falls the most. Its security sector acts with widespread impunity, as does the judiciary, due to the confluence of interests between the military backed government and the monarchy. The COVID-19 pandemic has seen the expansion of enforcement regulations that have jailed pro-democracy and anti-government protestors under far-reaching defamation laws.

Due to this, civic space within Thailand has shrunk, exacerbated further by widespread corruption in the justice sector that sees impunity reign, with accusations of torture going largely unaddressed. The protection of vulnerable groups, such as ethnic minorities and refugees, has also lessened, and the ongoing insurgency in the south of the country has seen abuses carried out.

# THAILAND

Assessment	Indicator
<b>Very Strong</b>	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate)
	Support the Kigali Principles
	Support UN Security Council veto restraint on issues relating to atrocity prevention
<b>Strong</b>	Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council
	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness
<b>Fair</b>	Protection of populations from atrocity crimes
	Reduction of atrocity crime risks
	Sign, ratify and implement relevant instruments of international law
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles
	Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations
	Take measures to counter and prevent violent extremism
	Prevent nationals committing atrocity crimes overseas
	Participate in international, regional and national discussions on the further advancement of R2P
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect
	Support the development and work of regional human rights and other preventive capacities
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system
	Support preventive actions on atrocity crimes
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping
<b>Weak</b>	Dealing with past atrocities
	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination
	Ensure equal access to justice
	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law
	Cultivate and protect an active, diverse and robust civil society
	Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy
	Strengthen regional and international networks for atrocity crime prevention

	Strengthen the role and capacity of regional organisations
	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P
<b>Very Weak</b>	Appoint national R2P Focal Point
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court
	Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity
	Conduct a national assessment of risk and resilience
	Ensure a legitimate, effective and civilian controlled security sector
	Support atrocity prevention through development and assistance partnerships

Thailand 2022 Score: 39

Thailand 2019 Score: 43

Difference: - 4 

Thailand has continued to decline in its implementation of R2P, due to falling domestic indicators. A lack of civic space, continued corruption and impunity in the pro-military government and monarchy, and a lack of human rights protections has seen the situation in Thailand worsen. However, internationally the country continues to vote in favour of UN resolutions that support R2P, and civil society organisations have co-hosted and participated in numerous domestic and regional events on atrocity prevention.



Thematic Area	Indicator	Assessment	Notes
Basic Compliance	Protection of populations from atrocity crimes.	Fair Unchanged	Widespread impunity in the security services, with the backing of the pro-military government and monarchy, means Thai citizens are subject to arbitrary arrest and abuses, including torture. The governments poor treatment of refugees and its continuing counter-insurgency campaign in the south of the country, means not all citizens are protected from atrocity crimes committed by government authorities.
	Reduction of atrocity crime risks.	Fair Unchanged	A lack of civic space, government corruption and impunity, and ongoing conflict both within and next to Thailand's borders has resulted in a moderate risk of atrocities being committed in the country. <sup>1</sup>
	Dealing with past atrocities.	Weak Unchanged	A culture of impunity remains in the security services as well as the government. Laws and the constitution, devised by government members who took part in the country's military coup, have protected the actions of military forces. This has meant that abuses carried out by the military and police against Thai citizens or Malay-Muslim insurgents have, for the most part, not been investigated properly. <sup>2</sup>
Policy Mechanisms	Appoint national R2P Focal Point.	Very Weak Unchanged	Thailand has not appointed an official to act as a national R2P Focal Point. <sup>3</sup>
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships.	Very Weak Unchanged	No evidence of incorporation of atrocity crime risks could be found.
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect.	Very Weak Unchanged	There are no domestic mechanisms in place for Thailand's government to uphold its responsibility to protect.
International Human Rights Obligations	Sign, ratify and implement relevant instruments of international law.	Fair Unchanged	Thailand's accession to international human rights treaties relevant to R2P remains unchanged, with seven of the twelve treaties ratified. They have signed, yet not ratified, the <i>Arms Trade Treaty</i> [ATT] and the <i>Rome Statute of the International Criminal Court</i> . <sup>4</sup>  They have neither signed nor ratified the <i>Convention on the Prevention and Punishment of the Crime of Genocide</i> , <i>Geneva Protocol I</i> , and the <i>1951 Refugee Convention</i> and its <i>1967 Protocol</i> . <sup>5</sup>

<sup>1</sup> Asia Pacific Centre for the Responsibility to Protect (APR2P), 2020. *Risk Assessment Series Volume 14: Thailand*, [https://r2pasiapacific.org/files/4983/Risk\\_Assessment\\_thailand\\_vol14\\_april2020.pdf](https://r2pasiapacific.org/files/4983/Risk_Assessment_thailand_vol14_april2020.pdf).

<sup>2</sup> Human Rights Watch (HRW), 2020. *Thailand: Events of 2019*, 'Legacy of Military Rule and Impunity for Human Rights Violations', <https://www.hrw.org/world-report/2020/country-chapters/thailand>; Keating, Craig, 2021. 'Thailand's military and human rights'. *The Interpreter*, 13 October. Available at: <https://www.lowyinstitute.org/the-interpreter/thailand-s-military-and-human-rights>.

<sup>3</sup> Global Centre for the Responsibility to Protect (GCR2P), 2020. *Members of the Global Network of R2P Focal Points*, <https://www.globalr2p.org/resources/members-of-the-global-network-of-r2p-focal-points/>.

<sup>4</sup> United Nations Treaty Collection (UNTC), 2022. 8. *Arms Trade Treaty*, [https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtmsg\\_no=XXVI-8&chapter=26&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtmsg_no=XXVI-8&chapter=26&clang=en); International Criminal Court, n.d. *The States Parties to the Rome Statute*, <https://asp.icc-cpi.int/states-parties#T>.

<sup>5</sup> UNTC, 2022. 2. *Convention relating to the Status of Refugees*, [https://treaties.un.org/pages/ViewDetailsII.aspx?src=TREATY&mtmsg\\_no=V-2&chapter=5&Temp=mtmsg2&clang=en](https://treaties.un.org/pages/ViewDetailsII.aspx?src=TREATY&mtmsg_no=V-2&chapter=5&Temp=mtmsg2&clang=en); International Committee of the Red Cross, n.d. *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 8 June 1977, [https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/States.xsp?xp\\_viewStates=XPages\\_NORMStatesParties&xp\\_treatySelected=470](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/States.xsp?xp_viewStates=XPages_NORMStatesParties&xp_treatySelected=470); UNTC,

	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court.	Very Weak <b>Unchanged</b>	Thailand remains a non-member of the International Criminal Court and has not fully ratified the <i>Rome Statute</i> .
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles.	Fair <b>Unchanged</b>	As of March 2022, the National Human Rights Commission of Thailand has regained its ‘A’ accreditation status according to the Global Alliance of National Human Rights Institutions (GANHRI), signalling full compliance with the Paris Principles. <sup>6</sup>  In the lead-up to this accreditation assessment, human rights observers advised the accreditation committee to maintain its ‘B’ ranking due to the Commission’s current constitution undermining its independence vis-à-vis the Thai government. <sup>7</sup>
	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination.	Weak <b>Decrease</b>	Thailand held its first election in 2019 since the 2014 coup by the military-led National Council for Peace and Order (NCPO). While this was considered a relatively peaceful and straightforward election, constitutional and legal restrictions on political pluralism meant the promilitary Palang Pracharat Party retained power. Prayuth Chan-ocha, who led the 2014 coup, was reinstated as Prime Minister with the support of the ruling monarch King Maha Vajiralongkorn.  Under this leadership, human rights and freedoms in Thailand have declined, particularly freedom of association, assembly, movement, and expression. The COVID-19 pandemic was used by the authorities to enact broad enforcement regulations that curbed assembly and expression, and arbitrary arrest and lese-majestè charges of defamation against the monarchy are common. Pro-democracy protesters, protesting government corruption and inadequacy along with poor vaccine rollouts, face abuse at the hands of the security forces. Segments of Thai society, particularly women, ethnic minorities and those in the LGBTIQ+ community, face discrimination in employment and accessing government services. <sup>8</sup>
	Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council.	Strong <b>Unchanged</b>	Thailand participated in its third UPR in November 2021. It accepted a total of 218 of the 278 recommendations it received, an increase in accepted recommendations of 16.6% compared to its second review. <sup>9</sup>  Despite a high number of accepted recommendations and Thailand’s continued affirmation of working with the UPR and

2022. 1. *Convention on the Prevention and Punishment of the Crime of Genocide*,

[https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-1&chapter=4&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-1&chapter=4&clang=en).

<sup>6</sup> GANHRI, 2022. *Chart of the Status of National Institutions Accredited by the Global Alliance of National Human Rights Institutions*, p. 4, [https://ganhri.org/wp-content/uploads/2022/04/StatusAccreditationChartNHRI\\_27April2022.pdf](https://ganhri.org/wp-content/uploads/2022/04/StatusAccreditationChartNHRI_27April2022.pdf).

<sup>7</sup> Prachatai, 2021. ‘National Human Rights Commission to remain Grade B for next 18 months’. *Prachatai English*, 24 January. Available at: <https://prachatai.com/english/node/9034>; Forum-Asia, 2020. [Joint Statement] *Thailand: Strengthen National Human Right Commission before Accreditation Upgrade*, <https://www.forum-asia.org/?p=33462>.

<sup>8</sup> For more information, see: Amnesty International, 2022. *Thailand 2021*, <https://www.amnesty.org/en/location/asia-and-the-pacific/south-east-asia-and-the-pacific/thailand/report-thailand/>; HRW, 2022. *Thailand: Events of 2021*, <https://www.hrw.org/world-report/2022/country-chapters/thailand#8f27c2>; Freedom House, 2022. *Freedom in the World 2022: Thailand*, <https://freedomhouse.org/country/thailand/freedom-world/2022>; U.S Department of State, 2022. *2021 Country Reports on Human Rights Practices: Thailand*, <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/thailand>.

<sup>9</sup> United Nations Human Rights Office of the High Commissioner (UNOHCHR), 2022. *Thailand – Infographic*, [https://www.ohchr.org/sites/default/files/2022-05/thailand\\_infographic.pdf](https://www.ohchr.org/sites/default/files/2022-05/thailand_infographic.pdf).

		stakeholders to improve human rights, <sup>10</sup> the review drew criticisms from rights activists. The government failed to accept recommendations regarding the freedoms of expression and assembly and retained strong defamation laws regarding the monarchy. <sup>11</sup>
		There are three treaty bodies with reporting mechanisms that Thailand is a party to and that have overdue reports, all of which are less than five years. <sup>12</sup>
Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations.	Fair <b>Unchanged</b>	While Thailand maintains its standing invitation to UN mandate holders (and has done since 2011), many of the visits remain inactive. <sup>13</sup>
Ensure equal access to justice.	Weak <b>Decrease</b>	Justice in Thailand is subject to the whims of the military-backed government. Arbitrary arrest and detention, extrajudicial killings, and allegations of torture are common within Thailand, and the judicial system is considered corrupt and to favour the government. Participants in anti-government protests have been held in pretrial detention without bail, and there is widespread impunity for those who have carried out abuses. <sup>14</sup>
Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity.	Very Weak <b>Unchanged</b>	There remains no domestic legislation in Thailand criminalising atrocity crimes, creating a protection gap.  At the time of writing, a draft bill on torture and enforced disappearances, and their effective criminalisation, is nearing its final vote in parliament. <sup>15</sup>
Take measures to counter and prevent violent extremism.	Fair <b>Unchanged</b>	Thailand is a long-standing supporter of counterterrorism and counter-extremism measures, in no small part due to combating an insurgency by Malay-Muslims in the south of the country. <sup>16</sup> In has put in measures domestically and has engaged in international and regional cooperation. Yet, the country's political turmoil has hindered a coherent and effective counterterrorism policy. Furthermore, Thailand's laws and impunity for much of its security forces has seen accusations of excessive force in combatting the insurgency go

<sup>10</sup> United Nations, General Assembly, Report of the Working Group on the Universal Periodic Review: Thailand, 21 December 2021, A/HRC/49/17, paras. 5 – 6; 48 – 50.

<sup>11</sup> Amnesty International, 2022. *Thailand: Oral statement at HRC 49: Item 6 Consideration of UPR Reports: Thailand*, <https://www.amnesty.org/en/documents/asa39/5381/2022/en/>; Article 19, 2021. *Thailand: Accept and implement Universal Periodic Review recommendations*, <https://www.article19.org/resources/thailand-accept-implement-upr-recommendations/>; fidh, 2022. *Thailand: Statement for the outcome of the Universal Periodic Review (UPR)*, <https://www.fidh.org/en/region/asia/thailand/oral-statement-for-the-outcome-of-the-upr-of-thailand>.

<sup>12</sup> These reports relate to CEDAW, ICESCR and CRC. UNOHCHR, n.d. *Late and non-reporting States*, [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/LateReporting.aspx](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/LateReporting.aspx).

<sup>13</sup> UNOHCHR, n.d. *View Country visits of Special Procedures of the Human Rights Council since 1998*, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=THA&Lang=en>.

<sup>14</sup> Freedom House, 2022. *Freedom in the World 2022: Thailand*, 'F. Rule of Law'; U.S Department of State, 2022. *2021 Country Reports on Human Rights Practices: Thailand*, 'Section 1. Respect for the Integrity of the Person'; HRW, 2022. *Thailand: Events of 2021*, 'Torture and Enforced Disappearance'.

<sup>15</sup> Muntarhorn, Vitit, 2022. 'Disappearances bill nears final vote'. *The Bangkok Post*, 6 June. Available at: <https://www.bangkokpost.com/opinion/opinion/2321226/disappearances-bill-nears-final-vote>; Laohong, King-Oua, 2021. 'Torture bill tied in knots'. *The Bangkok Post*, 10 October. Available at: <https://www.bangkokpost.com/thailand/special-reports/2195375/torture-bill-tied-in-knots>; Amnesty International, 2021. *Thailand: Legislation on torture, enforced disappearances must offer justice to victims*, <https://www.amnesty.org/en/latest/news/2021/09/thailand-amnesty-torture-enforced-disappearances/>.

<sup>16</sup> For an overview, see: Permanent Mission of the Kingdom of Thailand to the United Nations, 2020. *Thailand's Measures to Eliminate International Terrorism*, [https://www.un.org/en/ga/sixth/75/int\\_terrorism/thailand\\_e.pdf](https://www.un.org/en/ga/sixth/75/int_terrorism/thailand_e.pdf).



	<p>Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence.</p>	<p>Strong Unchanged</p>	<p>unanswered,<sup>17</sup> and broad security laws are deemed a threat to human rights.<sup>18</sup></p> <p>Men and women within Thailand enjoy the same legal rights, and the constitution forbids discrimination on the grounds of sex, race, and religion, among many others. While rape is illegal against both men and women, the crime is narrowly defined, thus making it difficult for some victims to find adequate legal redress. Rape and domestic violence remain serious problems and, according to human rights groups, likely underreported.<sup>19</sup></p> <p>In 2021, Thailand passed a bill enabling abortions to be had during the first 12 weeks of pregnancy,<sup>20</sup> and while marriage law recognises only between a man and a woman, there is no law criminalising consensual same-sex relationships between adults.<sup>21</sup> Those in the LGBTIQ+ community still face widespread societal discrimination, despite Thailand's reputation for tolerance and acceptance.</p> <p>Exploitation and sex trafficking, including of children, remain chronic problems, despite criminalisation and enforcement measures.<sup>22</sup></p>
	<p>Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law.</p>	<p>Weak Unchanged</p>	<p>There are no legal provisions for refugees and asylum seekers in Thailand. The country is not a party to the <i>1951 Refugee Convention</i>, or its <i>1967 Protocol</i> and refugees are deemed illegal immigrants. This is despite Thailand, with assistance from UNHCR, hosting over 90,000 refugees in camps throughout the country in addition to thousands who live in urban centres.<sup>23</sup></p> <p>There is widespread agreement by rights groups for the country to implement a consistent refugee policy that provides for effective legal protections and basic services, especially in the context of the ongoing border insecurity due to the Myanmar civil war.<sup>24</sup></p>
<p>Domestic Implementation</p>	<p>Conduct a national assessment of risk and resilience.</p> <p>Cultivate and protect an active, diverse and robust civil society.</p>	<p>Very Weak Unchanged Weak Decrease</p>	<p>No assessment has taken place within Thailand.</p> <p>Civil society has shrunk under the auspices of the military-backed government of Thailand. Protestors, human rights defenders, intellectuals, journalists, and others are all vulnerable to attacks</p>

<sup>17</sup> Counter Extremism Project, 2022. *Thailand: Extremism and Terrorism*, 'Overview', <https://www.counterextremism.com/countries/thailand-extremism-and-terrorism>.

<sup>18</sup> Freedom House, 2022. *Freedom in the World 2022: Thailand*, 'F. Rule of Law'; International Commission of Jurists, 2021. *Thailand: stop using counter-terrorism financing measures to reduce civil society space*, <https://www.icj.org/thailand-stop-using-counter-terrorism-financing-measures-to-reduce-civil-society-space/>.

<sup>19</sup> U.S Department of State, 2022. *2021 Country Reports on Human Rights Practices: Thailand*, 'Section 6. Discrimination and Societal Abuses: Women'.

<sup>20</sup> HRW, 2022. *Thailand: Events of 2021*, 'Gender Inequality'; Amnesty International, 2022. *Thailand 2021*, 'Sexual and reproductive rights'.

<sup>21</sup> U.S Department of State, 2022. *2021 Country Reports on Human Rights Practices: Thailand*, 'Section 6. Discrimination and Societal Abuses: Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity'.

<sup>22</sup> U.S Department of State, 2022. *2021 Country Reports on Human Rights Practices: Thailand*, 'Section 6. Discrimination and Societal Abuses: Children'; Freedom House, 2022. *Freedom in the World 2022: Thailand*, 'G. Personal Autonomy and Individual Rights'.

<sup>23</sup> UNHCR, 2022. *UNHCR in Thailand*, <https://www.unhcr.org/th/en/unhcr-in-thailand>.

<sup>24</sup> HRW, 2022. *Thailand: Allow Newly Arrived Rohingya Access to Asylum*, <https://www.hrw.org/news/2022/06/07/thailand-allow-newly-arrived-rohingya-access-asylum>; Bangkok Post Editorial Column, 2022. 'Refugee policy needs rethink'. *The Bangkok Post*, 9 January. Available at: <https://www.bangkokpost.com/opinion/opinion/2244399/refugee-policy-needs-rethink>; U.S Department of State, 2022. *2021 Country Reports on Human Rights Practices: Thailand*, 'Section 2. Respect for Civil Liberties: f. Protection of Refugees'.

			<p>and restrictions by the government and the security services who act with widespread impunity. Legislation, particularly Article 112 of the <i>Criminal Code</i>, the lese-majestè provision that makes it illegal to insult the monarchy, is used to bludgeon government critique. Broad application and vague wording of other laws limits civil society and human rights protections.<sup>25</sup></p> <p>These circumstances are not helped by the restrictive media environment in Thailand. Censorship and intimidation of journalists is commonplace, which extends to online publications as well. Reporters Without Borders has deemed Thailand’s media as polarised, with some toeing the line to “...play a major role in supporting the government’s affairs”, while others who espouse an alternate view are harassed by government authorities.<sup>26</sup></p>
	Ensure a legitimate, effective and civilian controlled security sector.	Very Weak <b>Unchanged</b>	The NCPO retains control over the military and police, and impunity and corruption in the security forces is widespread, and they are used against Thai citizens to limit civic space and deter criticism of the government. Allegations of torture are widespread, despite government denials. <sup>27</sup>
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness.	Strong <b>Unchanged</b>	<p>Thailand’s education system is effective and inclusive, relevant to the region. Enrolment in primary education is near universal, and the government has consistently invested in education making the first 12 years free for anyone.</p> <p>While primary enrolment is high, it falls off during secondary education, and access to education remains an issue for the poorest and most disadvantaged sections of Thai society.<sup>28</sup> As education is provided through government-run schools, obedience in the monarchy and government, and thus the military, is instilled in pupils throughout the curriculum and has been the cause of student protests.<sup>29</sup></p>
	Prevent nationals committing atrocity crimes overseas.	Fair <b>Unchanged</b>	No update could be found for this Indicator.
Bilateral and Multilateral Relations	Participate in international, regional, and national discussions on the further advancement of R2P.	Fair <b>Decrease</b>	In April 2022, APR2P along with the Faculty of Political Science at Chulalongkorn University, held a dialogue discussing “Next Steps for Atrocity Prevention in Thailand and Southeast Asia”. <sup>30</sup> During that dialogue, mention was made of Thailand’s atrocity prevention efforts up to that point had been lacklustre and ad hoc, and called for greater capacity building measures.

<sup>25</sup> Freedom House, 2022. *Freedom in the World 2022: Thailand*, ‘D. Freedom of Expression and Belief’; HRW, 2022. *Thailand: Events of 2021*.

<sup>26</sup> Reporters Without Borders, 2022. *Thailand*, <https://rsf.org/en/country/thailand>.

<sup>27</sup> Walker, Tommy, 2022. ‘Thailand Facing Crackdown on Freedoms’. *Voice of America*, 17 January. Available at: <https://www.voanews.com/a/thailand-facing-crackdown-on-freedoms/6400615.html>; Amnesty International, 2022. *Thailand 2021*; HRW, 2022. *Thailand: Events of 2021*, ‘Torture and Enforced Disappearances’.

<sup>28</sup> U.S Department of State, 2022. *2021 Country Reports on Human Rights Practices: Thailand*, ‘Section 6 Discrimination and Societal Abuses: Children’; Vandeweyer, Marieke, et al. 2021. *Thailand’s Education System and Skills Imbalances: Assessment and Policy Recommendations*, p. 12 – 16,

[https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=ECO/WKP\(2020\)49&docLanguage=En](https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=ECO/WKP(2020)49&docLanguage=En); scholaro, 2022. *Education in Thailand*, <https://www.scholaro.com/pro/Countries/Thailand/Education-System>.

<sup>29</sup> Freedom House, 2022. *Freedom in the World 2022: Thailand*, ‘D. Freedom of Expression and Belief’.

<sup>30</sup> APR2P, 2022. *Thailand R2P Program 2021 National Dialogue on Atrocities Prevention: “Next Steps for Atrocity Prevention in Thailand and Southeast Asia”*, [https://r2pasiapacific.org/files/8226/Spotlight\\_apr2022\\_thailand\\_national\\_dialogue.pdf](https://r2pasiapacific.org/files/8226/Spotlight_apr2022_thailand_national_dialogue.pdf).

Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect.

Fair  
Unchanged

Thailand has voted in favour of all resolutions in the General Assembly that have referenced R2P.

#### UN General Assembly Resolutions:<sup>31</sup>

- 2018: Extrajudicial, summary or arbitrary executions A/RES/73/172: **yes**.
- 2018: Situation of human rights in the Democratic People's Republic of Korea A/RES/73/180: **adopted without vote**.
- 2018: Situation of human rights in the Syrian Arab Republic A/RES/73/182: **yes**.
- 2019: Situation of human rights in the Democratic People's Republic of Korea A/RES/74/166: **adopted without vote**.
- 2019: Situation of human rights in the Syrian Arab Republic A/RES/74/169: **yes**.
- 2020: Situation of human rights in the Democratic People's Republic of Korea A/RES/75/190: **adopted without vote**.
- 2020: Extrajudicial, summary or arbitrary executions A/RES/75/189: **yes**.
- 2020: Situation of human rights in the Syrian Arab Republic A/RES/75/193: **yes**.
- 2021: Promoting a culture of peace and tolerance to safeguard religious sites A/RES/75/258: **adopted without vote**.
- 2021: The responsibility to protect and the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity A/RES/75/277: **yes**.

While their record in the UN is commendable, their tacit acceptance of the military junta's coup in Myanmar and non-commitment to stop the violence (either through ASEAN or bilaterally) shows a lack of regard for atrocity prevention and R2P.

Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy.

Weak  
Unchanged

Thailand's response to the coup in Myanmar and the war in Ukraine has been rather weak, with no mention of atrocity prevention in any statements they have made. Thailand's response to Myanmar has been to defer to ASEAN's non-interference principle, which has translated to poor acceptance of refugees from across the countries' shared border.<sup>32</sup>

While Thailand has sent aid to Ukrainian civilians affected by the fighting,<sup>33</sup> their abstention from voting to remove Russia from the Human Rights Council has drawn criticism from commentators.<sup>34</sup>

<sup>31</sup> GCR2P, 2021. *UN General Assembly Resolutions Referencing R2P*, <https://www.globalr2p.org/resources/un-general-assembly-resolutions-referencing-r2p-2/>. (Voting records for each resolution were accessed using the UN's Digital Library: General Assembly of the United Nations, n.d. *Voting Records*, <https://www.un.org/en/ga/documents/voting.asp>.)

<sup>32</sup> Auethavornpipat, Ruji, 2021. Thailand's weak reaction to the Myanmar coup, <https://www.eastasiaforum.org/2021/04/22/thailands-weak-reaction-to-the-myanmar-coup/>; Jittiang, Bhanubhatra, Worrawit Sirijintana and Thanawit Wangpuchakane, 2022. *Ad hoc and as usual: Thai Government's Responses to the Myanmar Crisis Since the 2021 Coup*, [https://r2pasiapacific.org/files/8231/2022\\_Thai\\_response\\_myanmar\\_crisis.pdf](https://r2pasiapacific.org/files/8231/2022_Thai_response_myanmar_crisis.pdf).

<sup>33</sup> United Nations, General Assembly, Speakers Discuss Two Competing Draft Resolutions on Humanitarian Situation in Ukraine, as General Assembly Resumes Emergency Special Session, 23 March 2022, GA/12410.

<sup>34</sup> Thai PBS World, 2022. 'Thailand abstains in vote to suspend Russia from UN Human Rights Council'. *Thai PBS World*, 8 April. Available at: <https://www.thaipbsworld.com/thailand-abstains-in-vote-to-suspend-russia-from-un-human-rights-council/>; Rojanaphruk, Pravit, 2022. 'Opinion: Why Thailand Abstain on the UN Resolution to Suspend Russia from UN Human Rights Council?'. *Khaosod English*, 10 April. Available at: <https://www.khaosodenglish.com/opinion/2022/04/10/opinion-why-thailand-abstain-on-the-un-resolution-to-suspend-russia-from-un-human-rights-council/>.

	Strengthen regional and international networks for atrocity crime prevention.	Weak Unchanged	Besides the interactive dialogue with APR2P and Thai representatives from civil society, no new information could be found of Thailand promoting atrocity prevention through regional networks.
	Strengthen the role and capacity of regional organisations.	Weak Unchanged	Thailand, during its chairmanship of ASEAN in 2019, promoted sustainability, a theme which carried through its most recent UPR. It also concluded a regional trade agreement through an emphasis on free trade and multilateralism. <sup>35</sup> No other information, or mention of atrocity crimes, could be found.
	Support the development and work of regional human rights and other preventive capacities.	Fair Unchanged	Thailand became the first country in Asia to develop a national action plan around business and human rights, to run until the end of 2022. <sup>36</sup> The plan's key priorities will be to examine human rights around labour, environment and natural resources, human rights defenders, and multi-national enterprises.
	Support atrocity prevention through development and assistance partnerships.	Very Weak Unchanged	Thailand has development partnerships with many entities, including the Asian Development Bank and the EU, to help it increase its economic development and general income levels. <sup>37</sup> While beneficial, no direct reference to atrocity prevention could be found.
United Nations, prevention, Peacekeeping, and assistance	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P.	Weak Decrease	There is no updated evidence for this Indicator relevant to Thailand. Thailand's uninspiring response to the violence in Myanmar, which continues next to the Thai border, <sup>38</sup> suggests a predilection for non-interference and reliance on inclusive measures to the detriment of those facing atrocity crimes. <sup>39</sup>
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system.	Fair Unchanged	While Thailand may have contributed to the strengthening of human rights in the past, their more recent actions domestically have brought condemnation from the UNOHCHR. <sup>40</sup>
	Support preventive actions on atrocity crimes.	Fair Unchanged	There is broad support from Thailand for atrocity prevention measures. Their civil society engagement with APR2P is one such example. Another is the Thai delegation's remarks on the need UN Security Council reform in the wake of increased conflict following the invasion of Ukraine. The delegation called for greater information sharing and inclusivity of developing countries' views should be supported by the Council, to further predictability and transparency to its work. <sup>41</sup>
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate).	Very Strong Unchanged	Thailand continues to invest in an effective and professional peacekeeping force, currently deployed on UNMOGIP (India/Pakistan) and UNMISS (South Sudan), which has a protection of

<sup>35</sup> Ministry of Foreign Affairs, 2020. 'A Reflection on Thailand's ASEAN Chairmanship in 2019'. *The Bangkok Post*, 12 January. Available at: <https://www.bangkokpost.com/thailand/pr/1832949/a-reflection-on-thailands-asean-chairmanship-in-2019>.

<sup>36</sup> National Action Plans on Business and Human Rights, 2019. *Thailand*, <https://globalnaps.org/country/thailand/>.

<sup>37</sup> European Commission, n.d. *International Partnerships: Thailand*, [https://ec.europa.eu/international-partnerships/where-we-work/thailand\\_en](https://ec.europa.eu/international-partnerships/where-we-work/thailand_en); Asian Development Bank, 2022. *Thailand Country Partnership Strategy 2021-2025*, <https://www.adb.org/news/infographics/thailand-country-partnership-strategy-2021-2025>.

<sup>38</sup> Yang, Mary. 2022. 'Myanmar Military Carries Out Atrocities in the East, Too'. *Foreign Policy*, 1 June. Available at: <https://foreignpolicy.com/2022/06/01/myanmar-military-atrocities-east-thai-border-refugees/>.

<sup>39</sup> This also aligns with Thailand's decision to abstain from voting on removing Russia from the Human Rights Council in the wake of its invasion of Ukraine. Their reason cited 'inclusivity' for multilateral processes and establishing facts based on reliable sources, before any such action to stop violence could be taken.

<sup>40</sup> United Nations, 2020. 'Thailand: UN rights office deeply troubled by treason charges for protestors'. *UN News*, 18 December. Available at: <https://news.un.org/en/story/2020/12/1080382>.

<sup>41</sup> United Nations, Security Council, Speakers Call for Sanctions Regimes Reforms, Restraining Veto Use, Changing System of Drafting Resolutions, as Security Council Considers Working Methods, 28 June 2022, SC/14950.

		civilians mandate. <sup>42</sup> The UNMISS mission has Thai forces committed to engineering projects and contributing to peacebuilding and sustainable development initiatives. <sup>43</sup>
Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping.	Fair Unchanged	Thailand has shown a commitment to maintain a high level of preparation and training for its peacekeepers. This has included issues around the Women, Peace and Security agenda as well as children in armed conflict. <sup>44</sup>
Support the Kigali Principles.	Very Strong Unchanged	Thailand maintains support for the Kigali Principles.
Support UN Security Council veto restraint on issues relating to atrocity prevention.	Very Strong Unchanged	Thailand remains a supporter of both the French/Mexican initiative on the suspension of veto, <sup>45</sup> and the ACT Code of Conduct regarding Security Council action against mass atrocities. <sup>46</sup>

<sup>42</sup> UN Peacekeeping, 2022. *Troop and Police Contributors*, <https://peacekeeping.un.org/en/troop-and-police-contributors>. (Thailand can be selected from the drop-down menu.)

<sup>43</sup> United Nations Thailand, 2021. *United Nations thanks Thailand for its contribution to peacekeeping*, <https://thailand.un.org/index.php/en/141368-united-nations-thanks-thailand-its-contribution-peacekeeping>; Permanent Mission of the Kingdom of Thailand, 2020. *Thailand's views on institution building and system-wide engagement for peacebuilding and sustaining peace*, [https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/thailand\\_0.pdf](https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/thailand_0.pdf).

<sup>44</sup> Permanent Mission of Thailand to the United Nations, 2019. *Statement by RADM Nattapong Kettsumboon Representative of Thailand on behalf of the Deputy Prime Minister and Minister of Defence of Thailand at 2019 United Nations Peacekeeping Ministerial Conference*, p. 2, <https://peacekeeping.un.org/sites/default/files/thailand-training-and-capacity-building.pdf>.

<sup>45</sup> GCR2P, 2022. *List of Supporters of the Political Declaration on Suspension of Veto*, <https://www.globalr2p.org/resources/list-of-supporters-of-the-political-declaration-on-suspension-of-veto/>.

<sup>46</sup> GCR2P, 2022. *List of Signatories to the ACT Code of Conduct*, <https://www.globalr2p.org/resources/list-of-signatories-to-the-act-code-of-conduct/>.